

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLINTON T. PARKER,

Defendant.

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**Case No. CR2-11-165
JUDGE MARBLEY**

ORDER

This matter came before the Court on Defendant's Motion to Suppress Physical Evidence and Statements and Request for Evidentiary Hearing. Based on the evidence that was presented to the Court in the suppression hearing on November 9, 2011, counsel shall adhere to the following schedule.

Summary:

November 30, 2011	Opening post-hearing briefs are due.
December 7, 2011	Reply post-hearing briefs are due.
December 8, 2011	Final pretrial conference.
December 12, 2011	Trial - voir dire, opening statements and presentation of evidence.

I. TRIAL DATE

This case is reset for trial on **Monday, December 12, 2011 at 9:00 a.m.**

II. PLEA NEGOTIATIONS AND PLEA AGREEMENT

Plea agreement discussions between the Assistant U.S. Attorney and the attorney for the defendant, pursuant to Rule 11(E), Federal Rules of Criminal Procedure, shall be commenced as

soon as practicable. If a plea agreement is reached, notice thereof shall be given to the Court forthwith and a change of plea will be scheduled. Counsel are instructed to comply with District Order 815 dealing with pleas of guilty offered pursuant to a plea agreement, and pleas of guilty offered in the absence of a plea agreement.

III. MOTION FOR CONTINUANCE

Any motion for a change of the trial date shall be in writing and shall be made at least ten days prior to the scheduled trial date and set forth those factors listed in Title 18 U.S.C. § 3161(h)(8)(B), which the movant contends support the motion.

IV. PRETRIAL

This matter is set for a Final Pretrial Conference on **Thursday, December 8, 2011, at 3:30 p.m.** Counsel shall be prepared to discuss the following matters:

- (A) Motions In Limine
- (B) Stipulations
- (C) Contested Legal Issues
- (D) Length of Trial
- (E) Voir Dire
 - (1) Procedure
 - (2) Number of Alternates
- (F) Need for Audio-Visual Equipment or Other Special Equipment
- (G) Jury Instructions
- (H) Miscellaneous Issues

V. TRIAL PROCEDURES

Counsel are instructed to review thoroughly the attached trial procedures, fully incorporated into this Order, which set out the procedures to be followed at trial. The Order further notes that the following items must be filed with the Court on or before **December 1, 2011**:

- (A) Motions In Limine
- (B) Proposed Jury Instructions
- (C) Stipulations
- (D) List of Exhibits

Parties are reminded that all deadlines set forth in this Order are firm. The parties **SHALL** file or submit to the Court's chambers all required documents by the dates set forth in this order unless prior approval of the Court for filing on a later date has been obtained from the Court.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge

DATED: November 14, 2011